



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED

Order Instituting Rulemaking Regarding Policies,
Procedures and Rules for California Solar
Initiative, the Self-Generation Incentive Program,
and Other Distributed Generation Issues

Rulemaking 06-03-004
(Filed March 2, 2006)

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**REPLY COMMENTS OF THE GREENLINING INSTITUTE REGARDING COMMISSIONER
PEEVEY'S PROPOSED DECISION ESTABLISHING A SINGLE-FAMILY LOW-INCOME
INCENTIVE PROGRAM WITHIN THE CALIFORNIA SOLAR INITIATIVE**

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November 13, 2007

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**I. INTRODUCTION: THE CALIFORNIA SOLAR INITIATIVE'S DUAL FOCUS ON
ECONOMIC DEVELOPMENT AND ENVIRONMENTAL STEWARDSHIP WILL
BOLSTER CALIFORNIA AS AN INTERNATIONAL LEADER**

*"Clearly, we need more incentives to quickly increase the use of wind and solar power;
they will cut costs, increase our energy independence and our national security and
reduce the consequences of global warming."*¹

The Greenlining Institute ("Greenlining") respectfully submits the following reply comments to the California Public Utilities Commission ("Commission" or "CPUC") on Commission President Michael R. Peevey's Proposed Decision ("PD") Establishing a Single-Family Low-Income Incentive Program ("SFLI") within the California Solar Initiative ("CSI").²

Greenlining believes that the future well-being of California's low-income communities depends on the Commission's adoption of sound environmental and economic policies. Moreover, Greenlining submits that the SFLI CSI program presents the Commission a golden opportunity to address the energy and environmental needs of low-income communities and concurrently advance California's position as solar energy leader. In fact, Greenlining believes that a comprehensive and well-funded solar program in California will not only bolster the economy, but will also provide a model for formulating sustainable environmental policies worldwide.

¹ Hillary Rodham Clinton, October 25, 2005.

² See Opinion Establishing a Single-Family Low-Income Incentive Program within the California Solar Initiative, R. 06-03-004, October 17, 2007.

As this Commission realizes, the developing green economy can create corporate business opportunities and low-income job opportunities; it can improve the bottom line for big corporations and improve life prospects for struggling communities³ In fact, renewable energy and energy efficiency technologies (“RE&EE”) like solar power are driving significant economic growth in the United States. For example, in 2006, these industries generated 8.5 million new jobs, nearly \$970 billion in revenue, more than \$100 billion in industry profits *and* more than \$150 billion in increased federal, state, and local government tax revenues.⁴ Additionally, in 2006, more than 8 million Americans worked in RE&EE industries and generated \$933 billion of revenue.⁵ By 2030, under an aggressive deployment forecast scenario, there could be more than 40 million Americans employed in these industries—about one in every four working Americans.⁶ Given this forecast, the RE&EE industries may generate \$4.53 trillion in annual revenue.⁷

The question then, is whether the Commission’s policy initiatives will maintain California in its position at the forefront of this burgeoning solar revolution. To do so, Greenlining submits that the Commission must ensure that the CSI addresses the desperate need for economic development in low-income and minority communities by guaranteeing, at a minimum, the following criteria:

- SFLI Solar installations are economically feasible for all low-income Californians;
- The SFLI Program Manager is one single statewide entity;
- The “sweat equity” provision does not exclude low-income households from the SFLI;
- The Commission regularly evaluates the SFLI.

³ See Community Jobs in the Green Economy, published by Apollo Alliance and Urban Habitat, at <http://home.apolloalliance.org/community-jobs-report/>.

⁴ See Renewable Energy and Energy Efficiency: Economic Drivers for the 21st Century at p. iv, Roger Bezdek, American Solar Energy Society, available at <http://www.ases.org/ASES-JobsReport-Final.pdf>.

⁵ Id.

⁶ Id. at vii.

⁷ Id.

II. DISCUSSION: THE LOW-INCOME SINGLE-FAMILY INCENTIVE PROGRAM PRESENTS THE OPPORTUNITY TO FOSTER EQUITABLE GREEN ECONOMIC DEVELOPMENT BY ADDRESSING THREE ESSENTIAL GOALS CONCURRENTLY: A HEALTHY ENVIRONMENT, A VITAL ECONOMY, AND SOCIAL EQUITY

“California has some of the greatest potential in the world to benefit from solar power due to high levels of sunlight. We also have some of the greatest need. By reducing our dependence on fossil fuels and nuclear power, clean renewable energy such as solar power can protect our environment while diversifying our energy resources and helping to lower prices.”⁸

A. SOLAR INSTALLATIONS MUST BE ECONOMICALLY FEASIBLE FOR THE MAXIMUM NUMBER OF SINGLE FAMILY LOW-INCOME CALIFORNIA HOUSEHOLDS

Greenlining believes that the ongoing statewide effort to curb global warming and reduce oil dependence presents an enormous opportunity for technological innovation and social justice. In fact, Greenlining submits that the current sea change in public energy policy presents the Commission and utilities the opportunity to not fully invest solar energy technology and in underserved communities.

As this Commission is aware, poverty is one the strongest factors inhibiting economic development and sustainable environmental policies in California’s low-income and minority communities. Greenlining believes that the SFLI program, by increasing solar penetration across the state, has the *potential* to reduce the financial burdens of and decrease fossil fuel use by low-income Californians.⁹ Therefore, Greenlining recommends pushing full CSI SFLI participation by having, “the “Program Manager and an independent evaluator monitor the level of program participation at these [current] incentive levels during the first 24 months. If participation is significantly below expectations,

⁸ See <http://www.environmentcalifornia.org/energy/million-solar-roofs/fact-sheet>.

⁹ As stated in its Opening Comments, Greenlining believes that the SFLI program must be structured so that as many low-income Californians as possible can participate in it (“Greenlining submits that to maximize its potential, the California Solar Initiative Low-Income Incentive Program must be as affordable, available, easy to access, and as widely promoted as possible.”)

we propose that the Commission increase these incentives so that they yield Year 1 position cash flow regardless of tax liability.”¹⁰

Second, Greenlining shares the Solar Alliance and the California Solar Energy Industries Association’s (“Joint Solar Parties”) concern that “\$10,000 per qualifying household will not be adequate to cover 100% of the installed cost of the [solar] system.”¹¹ Greenlining therefore reiterates its Opening Comments¹² and supports the recommendation that “the Commission and Program Manager review the cost of fully subsidized systems and the participation levels associated with this portion of the CSI program over time and adjust the limit as necessary to ensure participation of extremely low-income or very low-income households.” Furthermore, to increase SFLI program participation, Greenlining advises the Commission to adopt the recommendation that the proposed decision “be clarified to allow donated systems where the CSI incentives are used by the donating party to offset part of the cost of the solar energy system.”¹³

Third, to ensure affordability, Greenlining recommends that the Commission partner with financial institutions to develop “green loans” or other similar financial programs designed to make solar installation affordable for a greater number of California households. For example, the Commission could work with Wells Fargo & Company to expand the recently announced environmentally-focused community development initiative, Green Equity Equivalent Investments (“Green EQ2”). Offered through Wells Fargo Community Development Corporation, Green EQ2s provide capital to non-profit

¹⁰ See Comments of Grid Alternatives on the PD of Commissioner Peevey Establishing a Single-Family Low-Income Incentive Program within the California Solar Initiative, R.06-03-004, November 6, 2007, at 2.

¹¹ See Comments of the Solar Alliance and the California Solar Energy Industries Association on the PD of Commissioner Peevey Establishing a Single-Family Low-Income Incentive Program within the California Solar Initiative, R.06-03-004, November 6, 2007, at 7.

¹² See Opening Comments of the Greenlining Institute Regarding Commissioner Peevey’s Proposed Decision Establishing a Single-Family Low-Income Incentive Program within the California Solar Initiative, R.06-03-004, November 6, 2007 (“Greenlining recommends increasing the total budget for the CSI low-income incentives program and increasing the total percentage of the budget dedicated to low-income subsidies.”)

¹³ Id. at 8.

organizations that engage in environmentally-responsible practices in low-to-moderate income communities.¹⁴

Fourth, Greenlining strongly urges the Commission to reject SCE's suggestion that it "revise the proposed decision to provide that, where the ratepayers, are fully subsidizing the solar energy system, ratepayers will receive all of the renewable attributes associated with the output of the systems they have purchased."¹⁵ The basic philosophy behind providing economic subsidies, including the renewable attributes associated with the outputs from the household solar systems, to low-income families is two-fold. These subsidies will advance California's "green" policy goals by encouraging low-income households to adopt solar technologies. Additionally, Greenlining submits that these subsidies will move California's economic policy goals forward by ensuring greater access to financial resources by underserved communities. Once low-income and minority communities have the economic capability to meet their basic needs of food, clothing, and shelter, these communities can focus on improving their education, joining workforce-training programs, increasing their economic production, and ultimately supporting California's economy. Thus, by allowing a greater number of low-income households to take advantage of the renewable attributes associated with solar installation, Greenlining believes that the Commission is directly contributing to economic development throughout California.

B. THE SINGLE-FAMILY LOW-INCOME INCENTIVE PROGRAM MANAGER MUST BE ONE SINGLE STATEWIDE ENTITY

Greenlining submits that having a single statewide entity with *specific* knowledge of both the challenges facing and the financial programs available to low-income households is fundamental to the success of the CSI SFLI. In particular, having a single entity serve as the CSI Program Manager will make certain that low-income households throughout California receive equitable service through the

¹⁴ See Wells Fargo Unveils Green Equity Equivalent Investments at https://www.wellsfargo.com/about/csr/ea/news/2006/01-23-06_Green_EQ2.

¹⁵ See Comments of SCE on Opinion Establishing A Single-Family Low-Income Incentive Program Within the California Solar Initiative, R.06-03-004, November 6, 2007, at 9.

SFLI program. Further, a single CSI Program Manager will allow the Commission to more effectively maintain oversight over the CSI SFLI program.

By comparison, allowing Investor Owned Utilities (“IOUs”), such as Pacific Gas and Electric (“PG&E”) or the Southern California Edison Company (“SCE”), to serve as program administrators will result in disparate service statewide and in significant complications to the Commission’s oversight of the SFLI. After all, the IOUs have consistently provided differing levels of service and differing interpretations of CPUC decisions in their respective service areas. Thus, Greenlining urges the Commission to reject SCE’s suggestion that the CPUC appoint SCE as the “program administrator in its service territory.”¹⁶ Likewise, Greenlining urges the Commission to reject PG&E’s suggestion that the Commission appoint PG&E as the Program Manager in its service territory.¹⁷ In conclusion, having a single statewide entity, sensitive to and experienced with the economic, ethnic, and linguistic needs of California’s low-income communities serve as Program Manager will best ensure SFLI equity and transparency.

C. ALL SFLI PROGRAM PARTICIPANTS SHOULD HAVE THE OPPORTUNITY, NOT THE MANDATE, TO PARTICIPATE IN SOLAR INSTALLATION THROUGH “SWEAT EQUITY”

Greenlining supports the Commission’s plan to present all SFLI participants the opportunity to make a “sweat equity” contribution, of their labor or the labor of family and friends, toward solar installation. However, Greenlining is concerned that if the Commission requires households to provide sweat equity, the CPUC will exclude some households that would otherwise be eligible for SFLI incentives. Greenlining therefore recommends that the Commission’s modify the following statement in the proposed decision: “As a condition of receiving this [full] subsidy, the Program Manager may require the applicant to provide up to 32 hours of “sweat equity” towards system installation, by either the

¹⁶ See Comments of SCE on Opinion Establishing a Single-Family Low-Income Incentive Program within the California Solar Initiative at 2.

¹⁷ See Comments of PG&E on the PD Establishing a Single-Family Low-Income Incentive Program within the California Solar Initiative, R.06-03-004, November 6, 2007, at 1.

applicant or other volunteers such as friends, family or community members. The Program Manager shall determine if the applicant can reasonably meet this condition.”

Specifically, Greenlining requests that the Commission set forth several categories of households which, by definition, would not be able to reasonably contribute 32 hours of labor. These households must include, at a minimum: 1) single parent households where the single parent is the sole wage earner and whose wage earning duties preclude them from contributing 32 hours of labor and 2) households with one or more disabled adults where the disability would prevent the individual from contributing his or her labor. While Greenlining supports a goal of having all program participants volunteer their labor towards the solar installation, strict adherence to this goal should not preclude otherwise eligible households from receiving solar installations.

D. IT IS CRITICAL FOR UNDERSERVED CALIFORNIA COMMUNITIES TO FULLY PARTICIPATE IN THE GREEN ECONOMY

Greenlining considers it *crucial* that California’s low-income communities be full and active participants in California’s growing green economy. Moreover, Greenlining believes that the CSI presents a golden opportunity for the Commission to invest in California’s low-income communities by fostering solar industry job growth. As this Commission knows, an increase in photovoltaic installations around California creates “green jobs” in every sector of the solar industry, from component part manufacturing to installation to sales to operating and maintenance. Further, because manufacturing, installation and maintenance can only be performed onsite and in person, these jobs are by necessity local jobs. Moreover, many of these jobs, especially in the construction and manufacturing sectors, do not require a college degree, but are nonetheless relatively high-wage. Thus, the solar energy economy has the potential to provide valuable economic opportunities to the millions of unemployed and undereducated workers who live in our communities. In fact, the photovoltaic industry generates about 3,000 jobs for every \$100 million of module sales. If the industry continues to grow at the current rates, an average of about 36%, it could employ some 150,000 Americans in high-value, high-tech jobs within

20 years.¹⁸ California, as a national center for solar demand, is well-positioned to experience a boom in our local solar industry.

In order to provide low-income communities across California in-roads to this expanding industry, Greenlining strongly supports PG&E's recommendation that the "SFLI installations could serve as a training opportunity for those participating in green job training programs such as those run by Grid Alternatives and the Ella Baker Center for Human Rights."¹⁹ Further, Greenlining urges the Commission to enact, as part of the SFLI program, a public-private initiative to create solar industry apprenticeships. As this Commission knows, apprenticeship programs provide important skills, credentials, and a gateway to quality jobs for workers from disadvantaged communities. At the same time, apprenticeship programs and other workforce development measures address California's growing need for skilled technical workers.²⁰

In addition to apprenticeships, the CSI should foster workforce development programs. Greenlining cannot emphasize enough that the Commission's approach to workforce development for green jobs is vital to our state; these programs can make the difference between a "high-road" economy with good, family-supporting jobs filled by local workers, and a "low-road" economy with imported, low-wage labor.

For economic and workforce development programs and policies to truly contribute to vibrant local and regional economies, they must embrace the twin goals of 1) encouraging employers to hire locally, provide a living wage and create family-supporting jobs and 2) helping workers with job placement and long-term worker retention.

¹⁸ See Why PV is Important to You, at http://www1.eere.energy.gov/solar/printable_versions/to_you.html (citing Solar Electricity: The Power of Choice, 2001).

¹⁹ Id. at 7.

²⁰ For additional resources on applying apprenticeship utilization standards to clean energy policies and projects, see www.apolloalliance.org/strategy_center/model_legislation/aur.cfm; For model legislation providing minimum standards for jobs created through state subsidies, see www.cfpa.org/issues/legislation.cfm/issue/HighRoad.xml; For a compilation of studies on prevailing wage, apprenticeship standards, and living wage standards, see www.lecet.org/Legislative/prevaling_wage/law_studies.htm.

One way to address these two goals is through public-private regional partnerships among businesses, unions, colleges, job training programs, community based organizations, faith based organizations, and local and state workforce development officials.²¹ Rather than being “one-size-fits-all” approaches, these place-specific partnerships work to develop and implement pathways for career advancement and family supporting employment for low-skill workers.

In conclusion, a key component of any green economic development strategy is developing the skilled workforce needed to fill these new green jobs. Given that the solar energy industry is relatively new, the Commission has the opportunity to develop *new* strategies and policies to help low-income communities obtain the solar manufacturing, construction, operating, and maintenance jobs.

E. COMPREHENSIVE EVALUATIONS OF THE SFLI ARE KEY TO DETERMINING WHETHER IT MEETS THE COMMISSION’S GOALS

“Democracy dies behind closed doors.”²²

Greenlining submits that comprehensive public evaluation is fundamental to the success of the SFLI program. Without regular and open evaluation, neither the Commission nor California’s populace can know whether the CSI program is meeting its goals. Second, open evaluation encourages greater civic participation, which in turn increases public awareness of and interest in the SFLI. Therefore, Greenlining supports independent annual evaluations, of both the Program Manager and the Single-Family Low-Income Incentives Program. In addition, Greenlining submits that the Commission should adopt quantifiable goals regarding increasing CSI participation by low-income Californians and should require the Program Manager to report on program progress on a quarterly basis. If participation by low-income ratepayers is not increasing across California, the Commission should form a working group comprised of Commission staff, CBOs, and FBOs to increase participation.

²¹ See Community Jobs in the Green Economy at 16.

²² Detroit Free Press v. Ashcroft, 303 F.3d 681 (2002).

Second, Greenlining urges the Commission to adopt the recommendations as outlined in its Opening Comments and supports PG&E's statement, "The SFLI program is unique and will benefit from regular examination so that successful aspects of the program can be identified and continued, and less successful aspects can be adjusted or eliminated."²³

Third, Greenlining generally supports the Commission's recommendations as to "Milestones and Evaluation Criteria," and notes that setting specific programmatic goals is a first and fundamental step towards achieving said goals. Greenlining submits that setting the SFLI program bar high, by aiming to have 1,000 installed solar systems by 2010, encourages the Program Manager to excel in its marketing, outreach, and education efforts. On the other hand, softening the Commission's stated CSI goal will send the message that low-income Californians do not deserve our best efforts.

Thus, Greenlining strongly urges the Commission to reject PG&E's recommendation that "setting a milestone of 1,000 installed systems by the end of 2010 should be considered a 'soft' goal rather than a 'hard' target."²⁴ In conclusion, setting the SFLI bar high and instituting a comprehensive public evaluation process are fundamental to the success of the SFLI program.

III. CONCLUSION: A WELL ADMINISTERED LOW-INCOME SOLAR-INCENTIVE PROGRAM WILL ALLOW ALL CALIFORNIANS TO REALIZE THE BENEFITS OF THE EMERGING GREEN ECONOMY

*"Solar also makes sense from an environmental standpoint. Every time we flick the switch, we're poisoning the air. Thirty percent of the greenhouse gas emissions in the U.S. are the result of electricity generation, which also releases toxic sulfur dioxide and nitrogen oxide daily."*²⁵

As this Commission knows the emerging green economy holds great promise for California, especially for low-income and minority communities. Every aspect of the solar energy industry,

²³ Id. at 8.

²⁴ Id. at 9.

²⁵ See Solar Power: Does it Make Sense, at <http://www.turn.org/article.php?id=284>.

including manufacturing, installation and maintenance, can create jobs, improve the environment and save consumers money on their energy bills. Unfortunately, California will not realize this promise without full participation by low-income communities in all phases of the green economy.

To guarantee that the CSI LISF program fosters economic development and environmental sustainability, the Commission must ensure that the program is: 1) as affordable and accessible as possible; 2) transparent and subject to regular evaluation; invests in education and workforce training programs; and 3) provides a seat at the table for low-income and minority communities whenever solar initiative decisions are being made. A Single-Family Low-Income Solar Incentive Program that effectively incorporates these goals will advance environmentalism and economic development statewide. To ensure this result, Greenlining respectfully urges the Commission to adopt the recommendations *infra*, as well as the recommendation in its Opening Comments.²⁶

November 13, 2007

Respectfully submitted,

/s/ Thalia N.C. Gonzalez
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/s/ Jesse W. Raskin
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²⁶ See Opening Comments of the Greenlining Institute Regarding Commissioner Peevey's Proposed Decision Establishing a Single-Family Low-Income Incentive Program within the California Solar Initiative.

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CERTIFICATE OF SERVICE

I, Thalia N.C. Gonzalez, am 18 years of age or older and a non-party to the within proceeding. I am a resident and citizen of the State of California with business address of The Greenlining Institute, 1918 University Avenue, Second Floor, Berkeley, CA 94704 and telephone number of 510-926-4002. On November 13, 2007, I caused the following document:

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to be served upon all interested parties of record in Rulemaking 06-03-004 named in the official service list via email to those whose e-mail address is listed in the official service list and via first class mail with postage prepaid or facsimile to those whose e-mail address is not available. I certify that the foregoing is true and correct.

Executed in Berkeley, California on November 13, 2007,

/s/ Thalia N.C. Gonzalez
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